

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Jack Rogers and Paul Pinella,

Plaintiffs,

v.

Comcast Corporation
and AT&T Broadband,

Defendants.

Civil Action No.: 04-10142 EFH

EX-10142 EFH
MAR 24 2 34
U.S. DISTRICT COURT
DISTRICT OF MASS.

**PLAINTIFFS' ASSENTED-TO MOTION TO EXTEND THE TIME FOR
RESPONDING TO DEFENDANTS' MOTION TO COMPEL ARBITRATION**

Plaintiffs move the Court to extend the time for responding to Defendants' Motion to Compel Arbitration to June 1, 2004, which is sixty (60) days from the Scheduling Conference set for March 30, 2004. In support of their Motion, Plaintiffs state that:

1. On December 8, 2003, Plaintiffs filed a class action complaint in the above action, alleging violations by Defendants of the Massachusetts antitrust statutes.
2. Plaintiffs agreed to extend Defendants' time to file a responsive pleading to March 12, 2004.
3. Defendants filed their Motion to Compel Arbitration with supporting affidavits on March 12, 2004.
4. Plaintiffs' position is that they are entitled to discovery, and require reasonable and adequate time to engage in such discovery, concerning the issues raised in Defendants' Motion to Compel Arbitration. Defendants consent to granting Plaintiffs an extension of time to June 1, 2004 to respond to Defendants' Motion to Compel Arbitration. Defendants' consent to such extension does not

prejudice their rights in any way, including their right to oppose Plaintiffs' discovery related to Defendants' Motion to Compel Arbitration, or to oppose the scope of such discovery. This Motion does not prejudice Plaintiffs' rights in any way, including Plaintiffs' right to seek a further extension to file their response to Defendants' Motion to Compel Arbitration based on the Court's or parties' resolution of discovery issues regarding the Motion to Compel Arbitration. Discovery issues will be an agenda item for the upcoming Scheduling Conference.

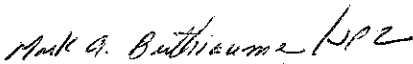
5. Plaintiffs have not previously requested an extension of time.

6. Plaintiffs fully reserve their position, asserted in Plaintiffs' Motion For Remand papers, that this Court lacks subject matter jurisdiction of this action and that the case should be remanded to the Superior Court for Middlesex County.

WHEREFORE, Plaintiffs request that this motion be ALLOWED.

DATED: March 23, 2004

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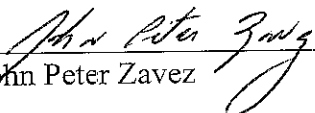
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CERTIFICATE OF SERVICE

I hereby certify that a true copy
of the above document was served upon the
attorney(s) of record for each other party
by ~~mail~~ on this date 3/24/04.
facsimile



John Peter Zavez